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January 23, 2014

SENT VIA FAX – 267-299-5069

The Honorable Paul S. Diamond
3029 United States Courthouse
601 Market Street
Philadelphia, PA 19106

RE: Marino v. IN2N Entertainment Group, LLC, et al.
Civil Action No. 11-06811

Dear Judge Diamond:

I respectfully seek clarification on the status of the sanctions hearing originally scheduled for Friday, January 24 and the submission date for any supplemental papers in support of Moving Defendants' Motion for Sanctions.

I understand your Honor's law clerk telephoned Jonathan Davis this morning regarding tomorrow's hearing and Mr. Davis reiterated Moving Defendants' consent to adjourning tomorrow's hearing and preference that the Court reschedule it, even if Mr. Stretton could possibly appear tomorrow.

On January 13, Mr. Stretton filed a motion to postpone the sanctions hearing. Despite Moving Defendants' consent to his request, and our letter to the Court requesting the resetting of the submission date of any supplemental papers, Mr. Stretton filed proposed findings of fact, conclusions of law and written argument on Monday.

It was our understanding from your Honor's post-hearing conference with us on January 6 that proposed findings of fact and conclusions of law would be due after the close of testimony.

Whether Mr. Malofiy will testify remains unclear. If Mr. Malofiy intends to invoke his Fifth Amendment right against self-incrimination or elects not to testify, Moving Defendants would appreciate the opportunity to submit a supplemental legal

memorandum regarding those issues separate and apart from their submission of proposed findings of fact and conclusions of law.

We thank the Court for its consideration of this letter.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Lance Rogers', written in a cursive style.

LANCE ROGERS

cc: Samuel C. Stretton, Esq. *(transmitted via e-mail)*
Jonathan Davis, Esq. *(transmitted via e-mail)*

PLEASE NOTE OUR NEW ADDRESS

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